

Exhibit 10

Redacted Public Version

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK

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NIKE, INC.,)
)
Plaintiff,)
)
vs.) No. 1:22-cv-00983-VEC
)
STOCKX LLC,)
)
Defendant.)
_____)

H I G H L Y C O N F I D E N T I A L
OUTSIDE ATTORNEYS' EYES ONLY
VIDEOTAPED DEPOSITION OF JOHN LOPEZ
SAN FRANCISCO, CALIFORNIA
THURSDAY, FEBRUARY 23, 2023

STENOGRAPHICALLY REPORTED BY:
ANDREA M. IGNACIO, CSR, RPR, CRR, CCRR, CLR ~
CSR LICENSE NO. 9830
JOB NO. 5688745

<p style="text-align: right;">Page 2</p> <p>1 UNITED STATES DISTRICT COURT 2 FOR THE NORTHERN DISTRICT OF NEW YORK 3 ---oOo--- 4 5 NIKE, INC.,) 6) 7 Plaintiff,) 8 vs.) No. 1:22-cv-00983-VEC 9 STOCKX LLC,) 10) 11 Defendant.) 12 _____) 13 14 Videotaped Deposition of John Lopez, taken 15 on behalf of the Plaintiff, Pursuant to Notice, on 16 Thursday, February 23, 2023, beginning at 17 9:27 a.m., and ending at 6:55 p.m., before me, 18 ANDREA M. IGNACIO, CSR, RPR, CCRR, CRR, CLR ~ 19 License No. 9830. 20 21 22 23 24 25</p>	<p style="text-align: right;">Page 4</p> <p>1 I N D E X 2 3 WITNESS: John Lopez 4 5 EXAMINATION PAGE 6 BY MR. MILLER 9 7 BY MR. FORD 296 8 9 E X H I B I T S 10 EXHIBIT PAGE 11 Exhibit 1 Plaintiff Nike, Inc.'s Amended 48 12 Notice of Deposition of John Lopez 13 Exhibit 2 Defendant's Objections and 48 14 Responses to Plaintiff's Second 15 Set of Interrogatories 16 Exhibit 3 Seasonal Authenticator at StockX 59 17 Exhibit 4 Authenticator at StockX 60 18 West Caldwell, NJ 19 Exhibit 5 Team Leader, Authentication and 60 20 Quality Assurance at StockX 21 Exhibit 6 Page Vault, Bates NIKE0006785 - 90 22 '89 23 Exhibit 7 Job Descriptions Sneaker 115 24 Authenticator I, II, III, Bates 25 STX0114754 - '57</p>
<p style="text-align: right;">Page 3</p> <p>1 A P P E A R A N C E S: 2 3 FOR THE PLAINTIFF: 4 DLA PIPER 5 By: MARC E. MILLER, Esq. 6 GABRIELLE VELKES 7 1251 Avenue of the Americas, 27th Floor 8 New York, New York 10020 9 212.335.4500 10 marc.miller@us.dlapiper.com 11 12 FOR THE DEFENDANTS: 13 By: CHRISTOPHER S. FORD, Esq. 14 MAI-LEE PICARD, Esq. 15 650 California Street 16 San Francisco, California 94108 17 415.738.5705 18 csford@debevoise.com 19 20 ALSO PRESENT: Peter Yaroschuk, Videographer 21 Kevin Adams, StockX LLC 22 ---oOo--- 23 24 25</p>	<p style="text-align: right;">Page 5</p> <p>1 E X H I B I T S 2 EXHIBIT PAGE 3 Exhibit 8 Sneaker Authentication Standard 132 4 Operating Procedure, Bates 5 STX0752605 - '42 6 Exhibit 9 Planet Nike Deck, Bates 179 7 STX02033509 - '673 8 Exhibit 10 Nike Dunk Low Retro White Black 197 9 (2021), Bates STX0069511 - '24 10 Exhibit 11 Jordan 1 High OG SP Fragment 204 11 design x Travis Scott, Bates 12 STX0058653 - '69 13 Exhibit 12 Nike SB Dunk Low What The 204 14 Paul - Fake Comparison, Bates 15 STX0058670 - '93 16 Exhibit 13 12-18-20 Email Re: Auth App 209 17 Updates/Grateful Dead SB Breakdown 18 Bates STX0106086 - '87 19 Exhibit 14 10-18-21 Email Re: Weekly 216 20 Sneaker Product Update - 10/18 21 Bates STX0106315 - '16 22 Exhibit 15 2-1-22 - 3-1-22 Short Message 224 23 Report, Bates STX0076158 - '71 24 Exhibit 16 Authentication Project 240 25 Metrics/Data, Bates STX0018010 - '14</p>

<p style="text-align: right;">Page 6</p> <p>1 EXHIBITS</p> <p>2 EXHIBIT PAGE</p> <p>3 Exhibit 17 3-22-21 - 3-28-21 Outline of 250</p> <p>4 Conversations, Bates STX0545514</p> <p>5 - '30</p> <p>6 Exhibit 18 Authentication Failure Comms 265</p> <p>7 Policy, Bates STX0169271 - '72</p> <p>8 Exhibit 19 1-4-22 Email, Subject: Fake - 271</p> <p>9 return, ref for John to look</p> <p>10 into seller and checker, Bates</p> <p>11 ZK_NIKE_010019 - '29</p> <p>12 Exhibit 20 1-5-22 Email Re: Fake - return, 271</p> <p>13 ref for John to look into seller</p> <p>14 and checker, Bates ZK_NIKE_010032</p> <p>15 Exhibit 21 3-31-22 Email Re: Lots warning 277</p> <p>16 signs, Bates ZK_NIKE_010404 - '24</p> <p>17 Exhibit 22 3-31-22 Email Re: Lots warning 277</p> <p>18 signs, Bates ZK_NIKE_010428 - '29</p> <p>19 Exhibit 23 12-18-20 Email Re: ? Bates 277</p> <p>20 ZK_NIKE_007765 - '75</p> <p>21 Exhibit 24 12-22-20 Email Re: ? Bates 277</p> <p>22 ZK_NIKE_007780 - '81</p> <p>23 Exhibit 25 8-2-22 Email Re: Instagram post 285</p> <p>24 Bates STX0772942 - '45</p> <p>25 ---oOo---</p>	<p style="text-align: right;">Page 8</p> <p>1 Street, Suite 2400, San Francisco, California 94105.</p> <p>2 My name is Peter Yaroschuk from the firm</p> <p>3 Veritext. I am the videographer.</p> <p>4 The court reporter is Andrea Ignacio from the</p> <p>5 firm Veritext.</p> <p>6 I am not related to any party in this action,</p> <p>7 nor am I financially interested in the outcome.</p> <p>8 Counsel and all present, please now state</p> <p>9 your appearances and affiliations for the record.</p> <p>10 If there are any objections to proceeding,</p> <p>11 please state them at the time of your appearance,</p> <p>12 beginning with the noticing attorney.</p> <p>13 MR. MILLER: Good morning. This is Marc</p> <p>14 Miller from DLA Piper, on behalf of Plaintiff Nike</p> <p>15 Inc.</p> <p>16 And I'm joined by Gabby Velkes, also of</p> <p>17 DLA Piper.</p> <p>18 MR. FORD: Christopher Ford, Debevoise &</p> <p>19 Plimpton, on behalf of defendant StockX.</p> <p>20 With me are my colleague Mai-Lee Picard, and</p> <p>21 Kevin Adams with in-house counsel at StockX.</p> <p>22 THE VIDEOGRAPHER: Thank you.</p> <p>23 Will the court reporter please swear in the</p> <p>24 witness.</p> <p>25</p>
<p style="text-align: right;">Page 7</p> <p>1 DEPOSITION PROCEEDINGS</p> <p>2 THURSDAY, FEBRUARY 23, 2023</p> <p>3 ---oOo---</p> <p>4</p> <p>5</p> <p>6 THE VIDEOGRAPHER: Good morning. We are</p> <p>7 going on the record at 9:27 a.m. on February 23rd, 0</p> <p>8 2023.</p> <p>9 Please note that microphones are sensitive</p> <p>10 and may pick up whispering, private conversations, and</p> <p>11 cellular interference.</p> <p>12 Please turn off all cell phones or place them</p> <p>13 away from the microphones, as they can interfere with</p> <p>14 the deposition audio.</p> <p>15 Audio and video recording will continue to</p> <p>16 take place unless all parties agree to go off the</p> <p>17 record.</p> <p>18 This is Media 1 of the video-recorded</p> <p>19 deposition of John Lopez. Taken by counsel for</p> <p>20 Plaintiff.</p> <p>21 In the matter of Nike Incorporated versus</p> <p>22 StockX LLC. Filed in the United States District Court</p> <p>23 for the Southern District of New York. Case number is</p> <p>24 122-CV-00983 VEC.</p> <p>25 This deposition is being held at 555 Mission</p>	<p style="text-align: right;">Page 9</p> <p>1 JOHN LOPEZ,</p> <p>2 having been first duly sworn</p> <p>3 by the Certified Court Reporter,</p> <p>4 testified as follows:</p> <p>5</p> <p>6 EXAMINATION</p> <p>7 BY MR. MILLER:</p> <p>8 Q Good morning, Mr. Lopez.</p> <p>9 A Good morning.</p> <p>10 Q My name is Marc Miller. I represent the</p> <p>11 plaintiff Nike in this case. Thank you for coming in.</p> <p>12 So I just want to go over a couple of ground</p> <p>13 rules that your counsel may have advised you of.</p> <p>14 First, let me ask you: Have you ever had</p> <p>15 your deposition taken before?</p> <p>16 A No, I have not.</p> <p>17 Q Okay. So our purpose here is for me to ask</p> <p>18 you some questions. You need to answer those</p> <p>19 questions to the best of your ability by telling the</p> <p>20 truth, the whole truth, and nothing but the truth, as</p> <p>21 you just took an oath to do.</p> <p>22 A Sure.</p> <p>23 Q If you don't hear a question that I've asked,</p> <p>24 please let me know, and I'll be happy to repeat it.</p> <p>25 If don't understand my question for some</p>

<p style="text-align: right;">Page 178</p> <p>1 frequently visit from one to two days a week.</p> <p>2 Q To which one?</p> <p>3 A To the Tempe -- Phoenix -- I'm sorry --</p> <p>4 Tempe, Arizona, authentication center.</p> <p>5 Q Do you live in Arizona?</p> <p>6 A Currently, yes.</p> <p>7 Q Do you know what the current UPH for</p> <p>8 authenticators working in the Tempe, Arizona, is?</p> <p>9 A I do not.</p> <p>10 Q Can a StockX authenticator, following the</p> <p>11 sneaker authentication SOP and performing all ■ steps</p> <p>12 of the SOP, determine whether a Nike shoe that it</p> <p>13 authenticated is genuine or not genuine?</p> <p>14 MR. FORD: Objection to form.</p> <p>15 THE WITNESS: When they finish their sneaker</p> <p>16 authentication SOP, they make a decision on whether</p> <p>17 that product meets StockX standards or not.</p> <p>18 MR. MILLER: Q. But can a StockX</p> <p>19 authenticator, following the sneaker authentication</p> <p>20 SOP and performing all ■ steps of that SOP, determine</p> <p>21 whether a Nike shoe that the authenticator</p> <p>22 authenticated was manufactured in a Nike manufacturing</p> <p>23 facility or not?</p> <p>24 MR. FORD: Objection to form.</p> <p>25 THE WITNESS: They cannot make that</p>	<p style="text-align: right;">Page 180</p> <p>1 Chaz Greene.</p> <p>2 Q Who is Chaz Greene?</p> <p>3 A Chaz Greene is one of our training or people</p> <p>4 development team members.</p> <p>5 Q Did anyone else at StockX assist Mr. Greene</p> <p>6 in preparing this?</p> <p>7 A I don't know.</p> <p>8 Q Sorry. Were you just showing a page to your</p> <p>9 counsel?</p> <p>10 A Yes, I was.</p> <p>11 Q Which page?</p> <p>12 A The GR versus Nike skateboarding.</p> <p>13 Q Why were you showing that one to your</p> <p>14 counsel?</p> <p>15 A I pre- -- I previously asked the difference.</p> <p>16 Sorry.</p> <p>17 MR. FORD: I'm not -- going to direct you not</p> <p>18 to discuss previous conversations that you've had with</p> <p>19 counsel.</p> <p>20 THE WITNESS: Sorry.</p> <p>21 MR. MILLER: Q. And just so I'm clear,</p> <p>22 you're showing him that particular page because it's</p> <p>23 related to something you discussed?</p> <p>24 That's just a yes-or-no question.</p> <p>25 A Yes.</p>
<p style="text-align: right;">Page 179</p> <p>1 determination, no.</p> <p>2 MR. MILLER: Q. Why not?</p> <p>3 A Again, our platform is based on our sellers,</p> <p>4 and our sellers are -- remain anonymous. So we don't</p> <p>5 ask or -- or even know where our -- the products that</p> <p>6 come into authentication centers come from.</p> <p>7 (Document marked Exhibit 9</p> <p>8 for identification.)</p> <p>9 MR. MILLER: 9. All right.</p> <p>10 Q Mr. Lopez, you've been handed a document</p> <p>11 marked as Exhibit 9 by the court reporter. It's</p> <p>12 bearing Bates stamps STX0203509 through '0203673.</p> <p>13 Do you see that?</p> <p>14 A Yes, I do.</p> <p>15 Q Okay. It's a large document. So just take a</p> <p>16 moment to leaf through it, and let me know if you</p> <p>17 recognize this document.</p> <p>18 A Yes, I am familiar with this particular</p> <p>19 document.</p> <p>20 Q Okay. What is this document?</p> <p>21 A This is a training deck named Planet -- I'm</p> <p>22 sorry -- "Planet Nike."</p> <p>23 Q Who at StockX created this training deck</p> <p>24 called Planet Nike?</p> <p>25 A From my understanding, this was created by</p>	<p style="text-align: right;">Page 181</p> <p>1 Q Sorry. I believe my prior question was: Do</p> <p>2 you know whether anyone at StockX assisted Mr. Greene</p> <p>3 in preparing this deck?</p> <p>4 A I don't know.</p> <p>5 Q And who is the intended audience for this</p> <p>6 training deck?</p> <p>7 A The intended audience would be any new hires</p> <p>8 that are going through the training.</p> <p>9 Q New hires within any department in StockX, or</p> <p>10 new hire authenticators?</p> <p>11 A New hire authenticators; specifically,</p> <p>12 sneaker authenticators.</p> <p>13 Q And does Mr. Greene present this training</p> <p>14 using this deck to those new hire sneaker</p> <p>15 authenticators?</p> <p>16 A To my understanding, yes.</p> <p>17 Q Does he do that in person or over Zoom?</p> <p>18 A That I am not sure of.</p> <p>19 Q Have you ever sat in on one of Mr. Greene's</p> <p>20 training sessions with new hire authenticators?</p> <p>21 A I have not, no.</p> <p>22 Q Did you have any input into what's in this</p> <p>23 deck?</p> <p>24 A The only thing I can recall was him asking</p> <p>25 for feedback once this was completed.</p>

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1 CERTIFICATE OF STENOGRAPHIC REPORTER

2

3 I, ANDREA M. IGNACIO, hereby certify that the
 4 witness in the foregoing deposition was by me sworn to
 5 tell the truth, the whole truth, and nothing but the
 6 truth in the within-entitled cause;

7 That said deposition was taken in shorthand
 8 by me, a disinterested person, at the time and place
 9 therein stated, and that the testimony of the said
 10 witness was thereafter reduced to typewriting, by
 11 computer, under my direction and supervision;

12 That before completion of the deposition,
 13 review of the transcript [x] was [] was not
 14 requested. If requested, any changes made by the
 15 deponent (and provided to the reporter) during the
 16 period allowed are appended hereto.

17 I further certify that I am not of counsel or
 18 attorney for either or any of the parties to the said
 19 deposition, nor in any way interested in the event of
 20 this cause, and that I am not related to any of the
 21 parties thereto.

22 Dated: 2-27-23

23

24



25 ANDREA M. IGNACIO, RPR, CRR, CCRR, CLR, CSR No. 9830

Page 303

1 E R R A T A S H E E T

2

3 PAGE____ LINE____ CHANGE_____

4 _____

5 REASON_____

6 PAGE____ LINE____ CHANGE_____

7 _____

8 REASON_____

9 PAGE____ LINE____ CHANGE_____

10 _____

11 REASON_____

12 PAGE____ LINE____ CHANGE_____

13 _____

14 REASON_____

15 PAGE____ LINE____ CHANGE_____

16 _____

17 REASON_____

18 PAGE____ LINE____ CHANGE_____

19 _____

20 REASON_____

21 _____

22 John Lopez Date

23

24

25

77 (Pages 302 - 303)

Deposition Date: 2/23/2023
Deponent: John Lopez – Errata Sheet
Case Name: Nike, Inc. v. StockX LLC, No. 22 CV 983 (VC)

Page(s): Line(s)	Now Reads	Should Read	Reason
12:4	employee team member	employee or team member	Transcription Error
33:9	a numerous of things	numerous things	Clarification
103:4	to base it or represent	to base around that	Transcription Error
103:11-12	products that we received	products that we receive	Transcription Error
104:18	we do pull data	we do hold data	Transcription Error
106:17	a specific product has gone	a specific product has gotten	Transcription Error
111:12	any quality issue	any quality issues	Transcription Error
122:4	I can speak in authentication	I can speak on authentication	Transcription Error
134:10	I cannot cite	I cannot say	Transcription Error
144:1	That is used	It is used	Transcription Error

Deposition Date: 2/23/2023 Deponent: John Lopez – Errata Sheet Case Name: Nike, Inc. v. StockX LLC, No. 22 CV 983 (VC)			
Page(s): Line(s)	Now Reads	Should Read	Reason
148:23-24	appear an inauthentic or suspect an inauthentic product	appear in an inauthentic or suspected inauthentic product	Transcription Error
157:24-25	I would say it is part of the storytelling if something is suspected inauthentic.	I would say it is part of the story telling if something is suspected inauthentic.	Transcription Error
163:15	authentic products would come from	authentic products would smell like	Clarification
168:4	Objection.	Objection to form	Transcription Error
171:18	troubling an issue	troubling a shoe	Transcription Error
180:17-18	I'm not -- going to direct you not to discuss	I'm going to direct you not to discuss	Clarification
188:8-9	shoes matching up. Again, that's the size and the style code is correct.	shoes matching up, again, that the size and the style code is correct.	Transcription Error
210:18	currently on practice	currently in practice	Transcription Error
254:14	call their SOP	follow their SOP	Transcription Error

DocuSign Envelope ID: D76033C8-FE77-45F4-8F77-1BC36ADFA851

Deposition Date: 2/23/2023 Deponent: John Lopez – Errata Sheet Case Name: Nike, Inc. v. StockX LLC, No. 22 CV 983 (VC)			
Page(s): Line(s)	Now Reads	Should Read	Reason
271:22	No. ZKNIKE010019 , and Exhibit 20 is ZKNIKE010032 .	No. ZK_NIKE_010019 , and Exhibit 20 is ZK_NIKE_010032 .	Typographical Error
275:12	Just this right here .	Just, say, this entire region .	Transcription Error
279:3	Cool Gray Jordan 11	Cool Grey Jordan 11	Typographical Error
280:11	on towards the upper	towards the upper	Clarification
280:21	Cool Gray Jordan 11	Cool Grey Jordan 11	Typographical Error

I, John Lopez, do hereby certify under penalty of perjury that I have read the foregoing transcript of my deposition taken on February 23, 2023; that I have made such corrections as appear noted herein; and that my testimony as contained herein, as corrected, is true and correct.

DATED this 24th day of March, 2023.

DocuSigned by:

John Lopez Jr

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John Lopez